

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS

RYAN NOECKER, et al.	§	
	§	
Plaintiffs	§	
	§	
v.	§	No. SA-10-CA-81
	§	
TOPAZ FINANCIAL SERVICES,	§	
INC., et al.	§	
	§	
Defendants	§	
	§	

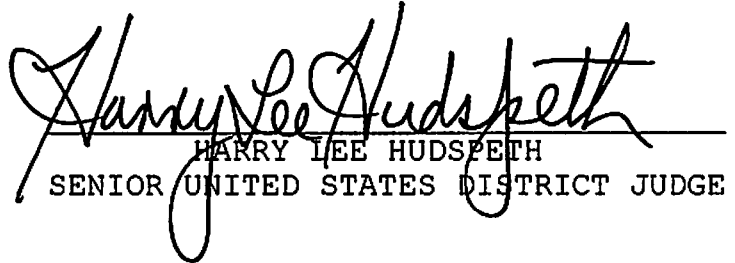
**ORDER GRANTING MOTION TO WITHDRAW OPT-IN PLAINTIFFS**

This is a civil action under the Fair Labor Standards Act, 29 U.S.C. § 216(b). The complaint was filed by Plaintiff Ryan Noecker on behalf of himself and all others similarly situated. Since the complaint was filed on February 1, 2010, various individuals have consented to "opt-in" as additional Plaintiffs. However, on November 29, 2011, the Plaintiff filed an unopposed motion to withdraw the consents previously received from some 39 individuals (Docket No. 29). According to the Plaintiffs' motion, none of these individuals have participated in discovery. The Court finds that the Defendants do not object, and that the following orders should be entered.

IT IS THEREFORE ORDERED that the Plaintiffs' motion to approve the withdrawal of some 39 opt-in Plaintiffs be, and it is hereby, GRANTED.

IT IS FURTHER ORDERED that the consents of the 39 opt-in Plaintiffs listed in the motion (Docket No. 29) be, and they are hereby, WITHDRAWN.

SIGNED AND ENTERED this 5<sup>th</sup> day of December, 2011.

  
HARRY LEE HUDSPETH  
SENIOR UNITED STATES DISTRICT JUDGE